REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action mailed September 17, 2004. Claims 1-20 were examined in the Office Action and all have been rejected. Claim 11 is amended and claims 14-20 are canceled herein. There are no new claims added. Reexamination and reconsideration are respectfully requested.

Claim Amendments

Claim 11 is amended herein to more particularly point out the functionality of the data structure stored on the computer readable medium.

Claims 14-20 are canceled herein.

Claim Rejections – 35 U.S.C. § 112

Claims 1-10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner states that "it is not clear how an object maintained by a first resource (software) is represented by a property sheet that includes property pages from the first resource and property pages from a second (hardware) resource." In response, Applicants submit the following example: an object (a user object having a property sheet with multiple property pages) maintained by a database (a software resource) that includes property pages provided by the database (for example containing name, address, office number, etc.) and a property page from a printer (a hardware resource), in which the printer property page identifies the printer that that user prints to by default.

For support of the above example, Applicants direct the Examiner's attention to the examples provided in the specification and particularly to page 23, line 22 to page 24 line wherein an Active Directory application (a first software resource) manages objects (user objects). Upon installation of a new resource, in the example an e-mail application, new user object information (an e-mail address in the example) from the new resource is supplied to the user object. See, page 24, lines 10-12 ("More importantly, combining information from separate resources in a single, exposed object, provides a relatively comprehensive set of information

about each user, such as all attributes and/or actions by simply accessing the object.") As discussed in various locations, resources may be software (applications, databases) or hardware (printers, computer stations, servers). See e.g., page 2, line 21 to page 3, line 4. In cases of hardware resources, examples of information provided to a managed object include the location of the hardware resource (for example a network port to which the hardware is attached) and how to communicate with the hardware resource (a communications protocol, for example). See, page 25, lines 15-18.

As discussed later in the application (such as at page 16, lines 14-23, at page 27 lines 3-14, and at page 28, line 15 to page 29, line 1) the managed objects may be represented by a property sheet 500 having a plurality of property pages, defined in XML code, as shown in FIG. 5. These property pages may be supplied by any resource, such as for example a printer resource that supplies a property page to a user object. This allows an administrator, through the printer property page of the user object, to manage the printer attributes of the user object.

Applicants believe the claims are clearly understood by one skilled in the art. Therefore Applicants respectfully request the Examiner to withdraw this rejection and find claims 1-12 in a condition for allowance.

Claim Rejections - 35 U.S. C. § 101

Claims 11-13 stand rejected under 35 U.S.C. § 101 because they represent mere arrangement of data, do not define a functional interrelationship among that data and the computing process performed when reutilizing that data and as such do not implement a statutory process.

Applicants herein amend claim 11 to particularly point the functional interrelationship between the data and the computer system. Therefore, under *In re Lowry*, 32 F.3d 1579, 32 USPOQ2d 1031 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium and that increases computer efficiency held statutory subject matter) and *in re Warderdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to data structure stored in memory held statutory product-by-process claim). See, Manual for Patent Examining Procedure, Section 2106(a).

Applicants believe amended claim 11 is now in a condition for allowance. Therefore Applicants respectfully request the Examiner to withdraw this rejection and find claims 11-13 in a condition for allowance.

Claim Rejections under 35 U.S.C. § 103 of Claims 1-13

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Duxbury (USPN 6,684,227) in view of Lee (USPN 6,732,362).

Applicants respectfully traverse the Examiner's rejections on the grounds that Duxbury is not prior art with respect to the present application.

A brief telephone call to the Examiner indicated that the application data available to the Examiner at the time of drafting the Office Action did not include the priority information. The present application claims priority from several provisional applications having an earliest filing date of December 11, 2000. As evidence of this, Applicants have attached a copy of the filing receipt showing recognition by the USPTO of priority claims made when the application was filed. In addition, Applicants direct the Examiner to the previous Amendment filed in this case, wherein the specification was amended to include the Provisional Application Serial Numbers to which this application claims priority.

The Duxbury reference is not prior art to the present application because the earliest priority date that can be accorded to Duxbury is March 8, 2001, which is after the priority date of the present application. The Duxbury reference has a priority date under 102(a) of October 18, 2001, under 102(b) of January 27, 2004, and under 102(e)(1) and (e)(2) of March 8, 2001 (Duxbury claims priority to a UK patent application, which is a foreign application and not an international application. Therefore, under *In re Hilmer,* 149 USPQ 480 (CCPA 1966) and MPEP 706.02(f)(1), Duxbury should be accorded its earliest effective U.S. filing date and have no benefit of the filing date of the foreign application.).

As the Duxbury reference cited by the Examiner is not prior art to the pending application, the Examiner has not made out a *prima facie* case of obviousness. Therefore, Applicants respectfully request that the Examiner withdraw this rejection and find claims 1-13 in a condition for allowance.

Claim Rejections under 35 U.S.C. § 103 of Claims 14-20

Claims 14-17 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee (USPN 6,732,362) in view of W3C "Extensible Markup Language (XML) 1.0." Claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee (USPN

6,732,362) in view of W3C "Extensible Markup Language (XML) 1.0." and further in view of Wilson (USPN 6,002,389).

These rejections are moot in light of the cancellation of claims 14-20.

Conclusion

Claims 1-13 currently remain pending in the present application. In light of the above remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

Respectfully submitted,

Dated: 11/17/04

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Exhibit A – Copy of filing receipt